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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q62284

Harry WILJAN, et al.

PCT/EP99/03853

Appln. No.: 09/720,879

Group Art Unit: Not Yet Assigned

Confirmation No.: Unknown

Examiner: Not Yet Assigned

Filed: December 29, 2000

For: COARSE DIRT COLLECTOR FOR REMOVING COARSE
MATERIAL FROM A PULPER AND RESPONDING METHOD

Duplicate
of Paper
#4
-referred to in
Decision
of
10 NOV 2004 08:40
10

Legal Staff
International Division

PETITION FOR NEW OFFICE ACTION AND WITHDRAWAL OF HOLDING OF
ABANDONMENT UNDER 37 CFR 1.181 (a)

MAIL STOP PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment mailed February 24, 2004, and in accordance with the requirements of MPEP §711.03(c)(I), Applicant hereby petitions for a new Office Action and for withdrawal of the holding of abandonment.

The undersigned hereby attests to the fact that a response to the Notice to File Missing Parts (Notice) of January 25, 2001 was filed on March 26, 2001, and attached herewith are copies of the documents as filed (Exhibit A). A copy of the PTO mail room stamped receipt (Exhibit B), and a copy of the returned check Nos. 170627 in the amount of \$130.00 and 170628 in the amount of \$110.00 (Exhibit C) are all submitted herewith as evidence that the Response to the Notice was filed in the USPTO on March 26, 2001.

If there are any questions or need for additional information, please contact the undersigned at the local Washington D.C. office.

15 NOV 2004

RECEIVED

Petition Under 37 C.F.R. § 7.11.03 (c) II
PCT/EP99/03853
09/720,879

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

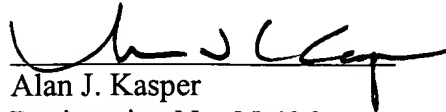
WASHINGTON OFFICE

23373

CUSTOMER NUMBER

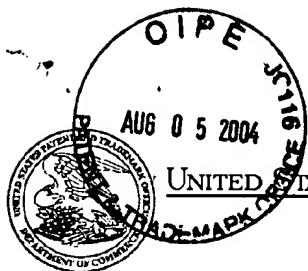
Date: August 5, 2004

Respectfully submitted,



Alan J. Kasper

Registration No. 25,426



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/720,879		Harry Wiljan	Q62284

Sughrue Mion Zinn Macpeak & Seas
 2100 Pennsylvania Avenue NW
 Washington, DC 20037-3213

CONFIRMATION NO. 6749

**ABANDONMENT/TERMINATION
 LETTER**



OC000000011955380

Date Mailed: 02/24/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 01/25/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



EXHIBIT A/1

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Harry WILJAN, et al.

Appln. No.: 09/720,879

Group Art Unit: Not Yet Assigned

Confirmation No.: Unknown

Examiner: Not Yet Assigned

Filed: December 29, 2000

For: COARSE DIRT COLLECTOR FOR REMOVING COARSE MATERIAL FROM A
PULPER AND RESPONDING METHOD

SUBMISSION OF EXECUTED DECLARATION

ATTN: BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

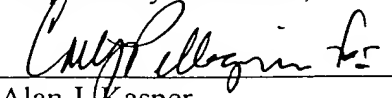
FILED
MAR 26 2001

Sir:

In response to the "Notification of Missing Requirements Under 35 U.S.C. 371", for the above application, Applicant respectfully submits herewith the Declaration for the above identified application properly executed by the inventors.

A check for the statutory fee of \$130.00 is attached. Please also charge any underpayment or credit any overpayment to Deposit Account No. 19-4880. A duplicate copy of this paper is attached.

Respectfully submitted,


Alan J. Kasper
Registration No. 25,426

SUGHRUE, MION, ZINN,
MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860
Date: March 26, 2001


**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

 Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

062284

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
	5071	PCT/EP99/03853
SUGHRUE MION ZINN MACPEAK & SEAS 2100 PENNSYLVANIA AVENUE NW WASHINGTON DC 20037-3213		
INTERNATIONAL APPLICATION NO.		
06/02/99 00/00/00		
LA. FILING DATE	PRIORITY DATE	
	01/25/01	

DATE MAILED:

25 JAN 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
☒ Copy of the international application in:
☒ a non-English language.
☐ English.
- ☐ Translation of the international application into English.
☐ Oath or Declaration of inventors(s) for DO/EO/US.
☐ Copy of Article 19 amendments.
☐ Translation of Article 19 amendments into English.
☒ The International Preliminary Examination Report in English and its Annexes, if any.
☐ Translation of Annexes to the International Preliminary Examination Report into English.
☒ Preliminary amendment(s) filed _____ and _____.
☐ Information Disclosure Statement(s) filed _____ and _____.
☐ Assignment document.
☐ Power of Attorney and/or Change of Address.
☐ Substitute specification filed _____.
☐ Statement Claiming Small Entity Status.
☒ Priority Document.
☒ Copy of the International Search Report ☐ and copies of the references cited therein.
☐ Other:
2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation ☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) 305-6000

INVOICE DATE	INVOICE NO.	DESCRIPTION	AMOUNT	NET INVOICE
3/26/01	OPER: JIA 124001 062284			110.00
CHECK NO.	CHECK DATE	CHECK NO.	TOTAL GROSS	NET CHECK
170628	03/26/01	10456 COMMISSIONER OF PATENTS		110.00

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC — PTO ACCOUNT

2100-PENNSYLVANIA AVENUE, N.W., WASHINGTON, D.C. 20037-3202

DATE

03/26/01

65-270
550170628
SUNTRUST
SunTrust Bank

*ONE HUNDRED TEN AND 00/100 DOLLARS**

PAY TO THE ORDER OF

COMMISSIONER OF PATENTS
AND TRADEMARKS

AMOUNT

**\$110.00*

NON-NEGOTIABLE

Cynthia C. Wilson

⑈ 170628 ⑆ 055002707 ⑆ 206548885 ⑆

EXHIBIT A/5



EXHIBIT A/6

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Harry WILJAN, et al.

Appln. No. 09/720,879

Group Art Unit: Not Yet Assigned

Confirmation No.: Unknown

Examiner: Not Yet Assigned

Filed: December 29, 2000

For: COARSE DIRT COLLECTOR FOR REMOVING COARSE MATERIAL FROM A PULPER
AND RESPONDING METHOD

PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136

Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.136, Applicant hereby petitions for an extension of time of one month(s), extending the time for responding to the Office Action of January 25, 2001 to March 25, 2001.

A check for the statutory fee of \$110.00 is attached. Please charge any additional fees under 37 C.F.R. § 1.16 or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to Deposit Account No. 19-4880. A duplicate copy of this sheet is enclosed.

SUGHRUE, MION, ZINN,
MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860
Date: March 26, 2001

Respectfully submitted,



Alan J. Kasper
Registration No. 25,426



EXHIBIT B

FILING RECEIPT
PLEASE DATE STAMP AND RETURN TO US - BOX 235X

57

In re application of

Harry WILJAN, et al.

Appln. No. 09/720,879

Group Art Unit: Not Yet Assigned

Confirmation No.: Unknown

Examiner: Not Yet Assigned

Filed: December 29, 2000

For: COARSE DIRT COLLECTOR FOR REMOVING COARSE MATERIAL FROM A PULPER
AND RESPONDING METHOD

PAPER(S) FILED ENTITLED:

1. Submission of Executed Declaration
2. Copy of Notification of Missing Requirements Under 35 U.S.C. § 371
3. Check No. 170627 For \$130.00
4. Petition for Extension of Time (w/Check No. 170628 For \$110.00)

SUGHRUE, MION, ZINN,
MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

DOCKET NO.: Q62284
ATTORNEY/SEC: AJK/jia

Date Filed: March 26, 2001



INVOICE DATE	INVOICE NO.		GROSS	NET INVOICE
03/26/01	OPER: JIA 124001 062284			130.00
CHECK NO.	CHECK DATE		TOTAL GROSS	NET CHECK
170627	03/26/01	10456 COMMISSIONER OF PATENTS		130.00

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC — PTO ACCOUNT

2100 PENNSYLVANIA AVENUE, N.W., WASHINGTON, D.C. 20037-3202

DATE

03/26/01

65-270
550170627
SUNTRUST
SunTrust Bank

ONE HUNDRED THIRTY AND 00/100 DOLLARS

PAY TO THE ORDER OF

COMMISSIONER OF PATENTS
AND TRADEMARKS

AMOUNT

**130.00*

NON-NEGOTIABLE

Cyndie C. Wilson

⑈ 170627 ⑈ ⑆055002707⑆ 206548885⑈

EXHIBIT C